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SUBJECT: PRESS FREEDOM QUARTERLY: APRIL-JUNE 2008

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¶1. (SBU) Summary: Congolese security personnel, often under orders from government officials, as well as illegal armed groups continue to harass, intimidate, and detain journalists. Federal immigration service agents (DGM - "Direction General de Migration" in French) detained an independent Belgian journalist in Bas-Congo for investigating the February and March GDRC-BDK (Bundu dia Kongo, a politico-religious movement based in Bas-Congo) clashes. National Police arrested a journalist in Lubumbashi, apparently in response to a request from an Angolan diplomat. In Butembo, North Kivu, a local journalist received a death threat from a militia commander for interviewing former child soldiers. The governors of Orientale and Katanga provinces pressured media stations in response to reporting that they did not approve. Updating previous cases: ANR (Congolese national intelligence service - "Agence nationale de renseignements" in French) agents released Kinshasa daily "L'Interprete" editor Ponte Nsimba from secret detention and transferred him to Makala prison in Kinshasa; Radio Television reporter Justin Kabasele was released pending appeal of his one year prison sentence; and the Bukavu Military Tribunal acquitted two friends of murdered journalist Serge Maheshe and confirmed death sentences for three others. Respect for the freedom and independence of the press has yet to firmly take hold in the DRC. End summary.

¶2. (U) Congolese security personnel continue to harass, intimidate, and detain journalists, often under orders from government officials. This quarterly update highlights five new cases of abuse during the second quarter of the year and updates three cases reported from the first quarter in reftel.

Detained by authorities

¶3. (U) DGM officers arrested independent Belgian journalist Colin del Fosse April 16, in the town of Seke-Banza, Bas Congo, for allegedly entering mining areas without authorization. The arrest occurred after he informed the local authorities of his desire to investigate the March GDRC-BDK clashes, according to a Congolese human rights group, Voice of the Voiceless (VSV). VSV told us April 22 that the DGM released del Fosse after transferring him to Matadi the same day without charge.

¶4. (U) Angolan diplomat Pedro Gomes Ngoma allegedly directed and participated in the beating of Radio Television Mwangaza (RTM) journalist Jean Pierre Ndolo April 19 near Gomes Ngoma's residence in Lubumbashi, Katanga province, according to the NGO Committee to Protect Journalists. Police arrested Ndolo while he was unconscious and detained him for more than two hours on trespassing charges, filed by Gomes Ngoma, before taking Ndolo to the hospital. Gomes Ngoma allegedly had been hostile to RTM reporters since they broke a 2006 story on the illegal voter registration of Angolans in the DRC elections. A representative from Comite des Observateurs des Droits de L'homme (CODHO) confirmed to us April 24 that Ndolo had filed a

police complaint against Gomes Ngoma for assault and battery. According to local journalists, Angola temporarily recalled Gomes Ngoma following the incident.

Death threat

15. (U) Austere Malivika Yalal, a journalist with a Radio Television Nationale Congolaise (RTNC) local affiliate in North Kivu and correspondent for the South Africa based Radio Canal Afrique, received a telephone death threat May 10 from Captain Ndaliko of the Congolese Party of Resistance (PARECO, an armed group based in eastern Congo), according to a May 15 Journaliste en Danger (JED) press release. Captain Ndaliko allegedly said "I will kill you before the International Criminal Court arrests us." Yalal told JED May 14 that the threat is related to the April 23 Radio Canal Afrique broadcast of an interview with three child soldiers who fled from PARECO forces in Kirumba (110 kilometers north of Butembo). The child soldiers described the mistreatment they received from their superior officers, including a certain Lafontaine and Ndaliko.

Interference and intimidation

16. (U) The station manager of RTNC's Kisangani office suspended journalist Eddy Abasiko Mango for three months for hosting a program during which call in guests criticized the provincial government, even though the businessmen he interviewed were allies of the same ruling alliance (AMP) as Governor Autsai Asenga. In addition to criticizing the local military commander, call in guests highlighted

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the problems of electric power shortage and unemployment. Abasiko alleges that the Governor put pressure on the station to discipline him. Abasiko told us May 27 that he is waiting for his three month suspension to end before returning to work. He has not suffered any other offense.

17. (U) Honore Kazadi Lukonde, aka Ngube Ngube, a supporter of Katanga Governor Moise Katumbi Chapwe, launched a defamation campaign May 24 against the independent station RTM in Lubumbashi, according to a May 28 JED press release. Speaking at a press conference, Kazadi vilified RTM and accused it of being a "media outlet that propagates hatred, encourages tribalism and divides the Katangese people." The three main media outlets in the region, including state-owned RTNC, Radio Television Nyota (owned by the governor), and Radio Television Wantanshi (which also supports the governor), broadcast Kazadi's message over several days. RTM CEO Rose Lukano told us May 27 that the slander campaign is connected to the RTM's independent stance regarding a local mining company's controversial road construction project, connecting the Congolese city of Kolwezi to the Zambian city of Solwezi. Governor Katumbi opposes the project.

Updates

18. (U) ANR agents transferred "L'Interprete" editor Ponte Nsimba Embete and assistant David Ntongo Nzovuangu to the main Kinshasa prison June 7 (see reftel). They currently await a court date after being charged with spreading false rumors and insulting the President. Nsimba complained to Poloff during a June 12 prison visit that the ANR had psychologically tortured him during his three month detention.

19. (U) A JED representative told us June 19 that reporter Justin Kabasele of Radio Television Kasai Horizons is now free after spending time in hiding (see reftel). He is currently appealing his one year prison sentence for making "damaging" allegations against a Mwene-Ditu government employee.

110. (U) The Bukavu Military Tribunal finished May 21 the appeal trial of the four men convicted of the June 13, 2007 murder of Radio Okapi editor Serge Maheshe (see reftel). The court acquitted Maheshe friends Alain Mulimbi and Serge Muhima, while reconfirming

the death sentences of Freddy Bisimwa and Mastakila Rwezangabo and pronouncing a new death sentence on previously uncharged Bisimwa Sikitu Patient.

¶11. (SBU) Comment: Respect for the freedom and independence of the press has yet to firmly take hold in the DRC. Although it has debated the issues, Parliament has not yet drafted new individual freedom laws to close the gap between the freedoms guaranteed in the 2006 Constitution and existing laws on press freedom and freedom of speech, which date from the Mobutu era. End comment.

GARVELINK